

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 22.64 ACRES OF PROPERTY AT 12440 & 12582 LEBANON ROAD, MAP 053, PARCELS 101.01 AND 102.00 FROM CG AND CRC TO CMU PUD AND TO ADOPT THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR ELLIOTT RESERVE

WHEREAS, the subject rezoning request is consistent with the findings required in the zoning ordinance, and;

WHEREAS, the Regional Planning Commission considered this request during their meeting of June 20, 2024, and forwarded a positive recommendation for approval to the Board of Commissioners by a vote of (8-0-0) and;

WHEREAS, a public hearing before the City Commission of the City of Mt. Juliet was held on _____ 2024 and notice thereof published in the Chronicle of Mt. Juliet on _____; and

WHEREAS, the City of Mt. Juliet Board of Commissioners desires to rezone the subject property at 12440 & 12582 Lebanon Road, Map 053, Parcels 101.01 and 102.00, approximately 22.64 acres, from CG and CRC to CMU PUD and adopt the Preliminary Master Development Plan for the Elliott Reserve.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WHILE IN REGULAR SESSION ON _____, 2023 as follows:

SECTION 1. – REZONING. Resolution No. 20-2022 (Zoning Map), adopted March 28, 2022, be and is hereby amended, and altered by rezoning those certain parcels of real property at 12440 & 12582 Lebanon Road, Map 053, Parcels 101.01 and 102.00, approximately 22.64 acres, from CG and CRC to CMU PUD.

LEGAL DESCRIPTION – See Exhibit A (attached)

SECTION 2. – The Preliminary Master Development Plan for Elliott Reserve (Exhibit B) is hereby adopted, except as modified herein. The Preliminary Master Development Plan shall comply with the Zoning Ordinance, be in substantial conformance with all other applicable rules, regulations and ordinances of the City of Mt. Juliet and is further conditioned upon the following:

Planning and Zoning:

1. Provide a phasing plan.
2. Revisit development timeline and revise for clarity and accuracy, the timeline seems unreasonable and lacks any information regarding phasing and number of units per phase etc.

3. Place the parking behind the commercial structures along Lebanon Road and move the structures to the front setback.
4. Provide a sidewalk on both sides of the access drive to the townhomes.
5. Excepting any waivers granted, all requirements of 5-104.4 shall be adhered to.
6. Excepting any waivers granted, all requirements of 6-103.7 shall be adhered to.
7. Provide a pedestrian connection between commercial lots 4 and 5 from the drive aisle to the townhomes.
8. Identify the percentage of the PUD devoted to commercial uses in the site data table.
9. Wet ponds shall include fountains.
10. Identify the percentage of improved open space.
11. Wheel stops are not permitted.
12. Provide landscaping and a decorative, low maintenance fence with lockable gate around all detention/retention ponds.
13. Notate the percentage of improved open space for the residential area.
14. Identify retaining wall locations and provide a detail of the proposed walls. Walls shall be faced with masonry or segmental block.
15. Preserve as many existing trees as possible. Delineate tree protection areas on subsequent submittals.
16. All requirements of the City's Subdivision Regulations and Zoning Ordinance shall be met, excepting any waivers approved by the Planning Commission.
17. Provide a copy of covenants and restrictions for legal to review. Include 10% rental cap in this document.
18. Add a note that no more than two units may be owned by a single entity. Include this in the restrictions and covenants.
19. Townhome buildings shall provide a minimum of 30' separation of buildings, unless a waiver is granted.
20. Garages shall include 20' width free and clear and 440 sq ft in area.
21. The amenities shall be complete before issuance of the final townhome certificate of occupancy.
22. For the townhomes provide two car wide driveways a minimum of 22' long from the back of the sidewalk. Provide, individual garage doors separated by a brick column where two car garages are provided.
23. Driveways shall be at least 18' wide.
24. Blasting Restrictions: all blasting shall be reduced from 2 inches per second to 1 inch per second, reducing the charge by 50% from the state maximum. Certified letters shall be sent out to all property owners within 500 ft of the development's property line informing those residences they are entitled to pre and post blasting inspections. The blasting monitor shall hold a contract with the general contractor and not the blasting company.
25. Provide sidewalk connection from the ROW to the commercial area at the Western end of Lot 7.
26. Provide a pedestrian connection from the townhome access road to the commercial areas between lots 4 and 5.
27. Explanations on the response letters do not correspond with the correct development note numbers at C1.00.
28. Provide dog park amenity on the typical.
29. Provide loading zones per code for the commercial uses.
30. The Planning Commission approved the waiver request to use an ornamental boundary fence in lieu of an opaque fence.

Commented [JP1]: I understand this is a typical request, just want to note that it is very unlikely to be accommodated with this layout due to grading and site functionality.

Commented [JP2]: We have proposed one sidewalk on the private drive to the townhomes, but a second sidewalk will be difficult since the drive is being cut into the steep hillside. Please see exhibit attached.

Commented [JP3]: This connection is unfeasible since it would be approximately 700' of switchback ADA compliant ramps. Please see exhibit attached.

Commented [JP4]: Waiver was granted for this comment.

Commented [JP5]: We are in agreement to provide two car driveways a minimum of 22' long, but a waiver was granted for the brick column.

Commented [JP6]: This connection is unfeasible since it would be approximately 290' of switchback ADA compliant ramps. Please see exhibit attached.

Commented [JP7]: This connection is unfeasible since it would be approximately 700' of switchback ADA compliant ramps. Please see exhibit attached.

31. The Planning Commission approved the request to allow up to 3.6 acres of disturbance of slopes exceeding 20%.
32. The Planning Commission approved the request to allow 20' of building separation in lieu of 30' due to the buildings being sprinkled.
33. The Planning Commission approved the request to omit the landscape buffer between the residential and commercial areas of the PUD.
34. The Planning Commission approved the request to omit the masonry column between garage downs as shown on the renderings.
35. The Planning Commission approved the request to deviate from the residential material standards as follows:
50% masonry 50% secondary material all homes.
36. The Planning Commission approved the request to deviate from the material standards for commercial buildings as follows: 65% masonry and 35% secondary materials.

Public Works:

1. All sewer mains shall be public (minus laterals) and within a 20' easement (minimum).
2. No onsite grinder systems or step systems will be allowed for this development.
3. Landscaping plans shall be approved before construction plans are approved.
4. All sidewalks, trails, curb ramps, and crosswalks shall meet ADA compliance.
5. If wet ponds are used, aeration shall be provided.
6. Sidewalks are required on both sides of the access street to the multifamily from Lebanon Road.
7. All curb cuts on Lebanon Road require TDOT approval.
8. The access street shall align with the existing industrial driveway on Lebanon Road.
9. Connect the office building to the retail/restaurant with sidewalk and crosswalks.
10. The TIS shall be finalized by the June 2024 Planning Commission meeting, or the item will be subject to deferral.
11. The development shall install traffic calming devices on Sunset Drive. The traffic calming plan shall be coordinated with Engineering/Public Works prior to FMDP.
12. The development shall dedicate an access easement to the adjoining property to the east. The access easement shall be recorded prior to construction plan approval.
13. Monument signs may not be located within the sight triangles for the driveways.
14. Existing slopes equal to or greater than 20% shall not be within a proposed building envelope.

Commented [JP8]: We have proposed one sidewalk on the private drive to the townhomes, but a second sidewalk will be difficult since the drive is being cut into the steep hillside.

Wilson County Schools:

1. No comments provided.

West Wilson Utility District:

2. Water lines shown are not WWUD's design.
3. Some existing water lines that shown are labeled with the wrong size.

SECTION 3. – PUBLIC HEARING – The zoning changes were the subject of a public hearing held on _____ at 6:15 p.m.

BE IT FURTHER ORDAINED

In case of conflict between this ordinance or any part hereof, and the whole part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further. If any section, clause, or provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, or provision or portion of this ordinance.

This ordinance shall take effect on the earliest date allowed by law.

PASSED:

James Maness, Mayor

FIRST READING:
SECOND READING:

ATTEST:

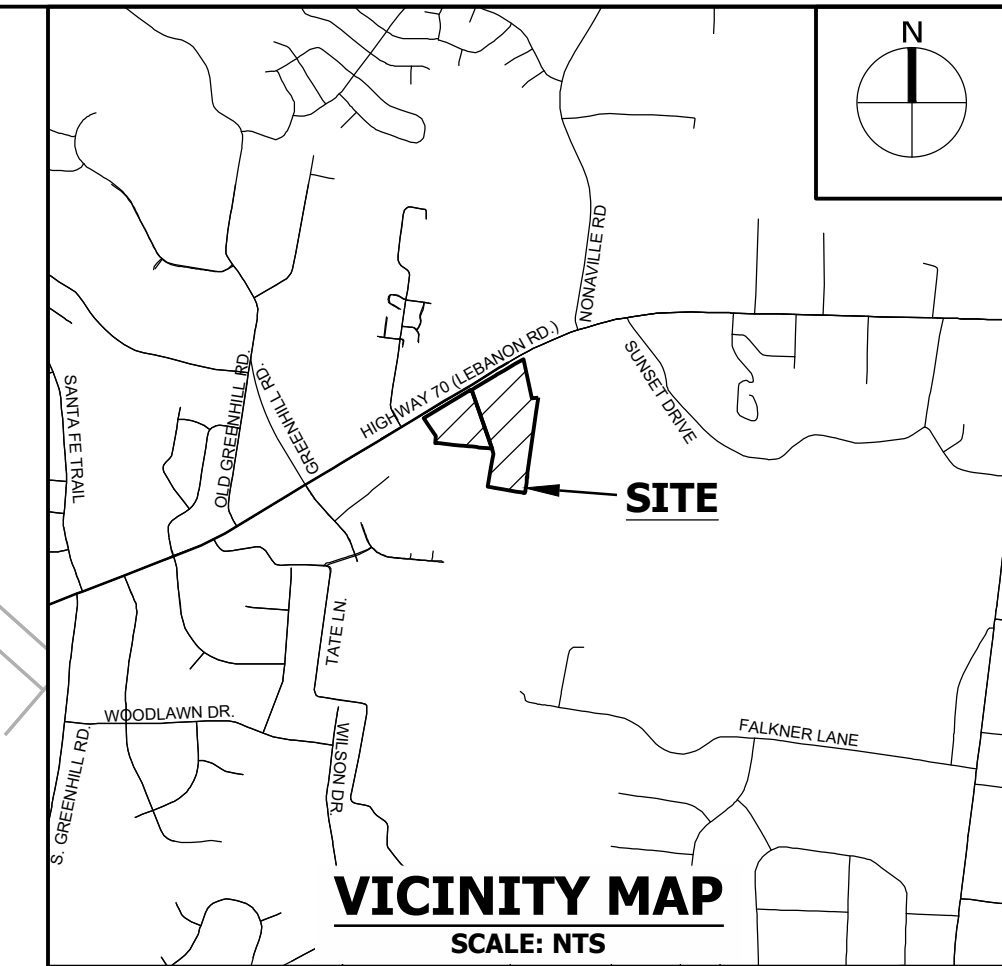
Sheila S. Lockett, MMC
City Recorder

Kenny Martin, City Manager

APPROVED AS TO FORM:

L. Gino Marchetti, Jr.
City Attorney

- GENERAL NOTES:**
1. PROVIDE ENHANCED LANDSCAPING AND DECORATIVE FENCING WITH A LOCKABLE GATE AROUND DETENTION PONDS.
 2. A LIGHTED FOUNTAIN SHALL BE IMPLEMENTED IF WET PONDS ARE UTILIZED IN FINAL DESIGN.
 3. AERATION SHALL BE PROVIDED IF WET PONDS ARE UTILIZED IN FINAL DESIGN.
 4. LANDSCAPING AND A DECORATIVE LOW MAINTENANCE FENCE WITH A LOCKABLE ACCESS GATE SHALL BE INSTALLED AROUND ALL DETENTION/RETENTION PONDS.

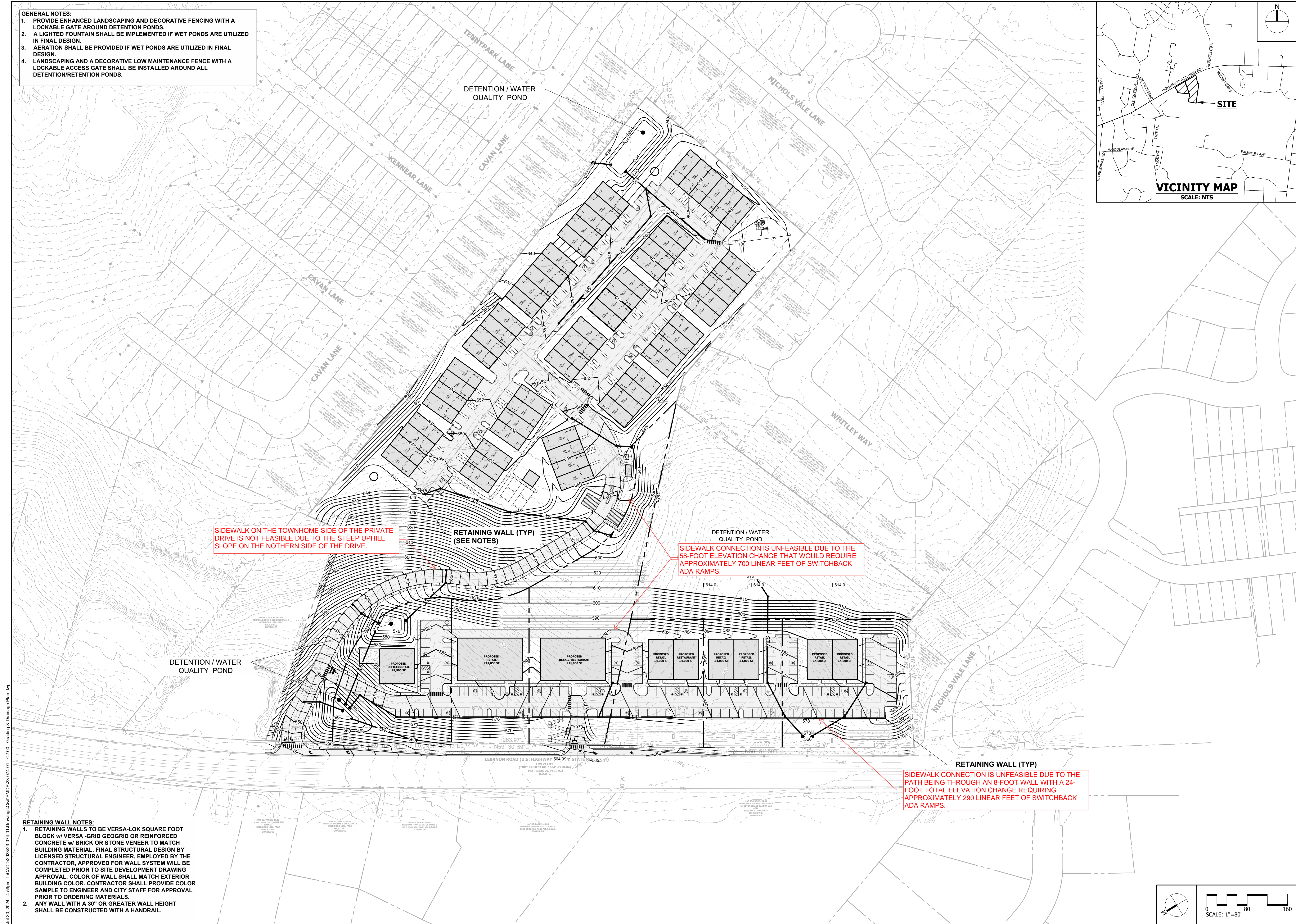
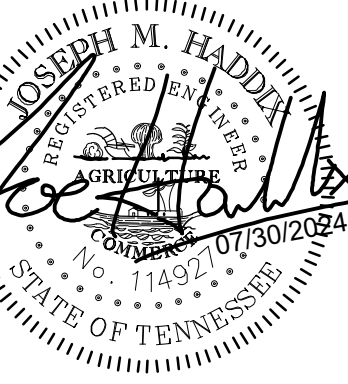


CSDG

Planning | Engineering
Landscape Architecture

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SEAL



SIDEWALK ON THE TOWNHOME SIDE OF THE PRIVATE DRIVE IS NOT FEASIBLE DUE TO THE STEEP UPHILL SLOPE ON THE NORTHERN SIDE OF THE DRIVE.

SIDEWALK CONNECTION IS UNFEASIBLE DUE TO THE 58-FOOT ELEVATION CHANGE THAT WOULD REQUIRE APPROXIMATELY 700 LINEAR FEET OF SWITCHBACK ADA RAMPS.

SIDEWALK CONNECTION IS UNFEASIBLE DUE TO THE PATH BEING THROUGH AN 8-FOOT WALL WITH A 24-FOOT TOTAL ELEVATION CHANGE REQUIRING APPROXIMATELY 290 LINEAR FEET OF SWITCHBACK ADA RAMPS.

- RETAINING WALL NOTES:**
1. RETAINING WALLS TO BE VERSA-LOK SQUARE FOOT BLOCK w/ VERSA -GRID GEOGRID OR REINFORCED CONCRETE w/ BRICK OR STONE VENEER TO MATCH BUILDING MATERIAL. FINAL STRUCTURAL DESIGN BY LICENSED STRUCTURAL ENGINEER, EMPLOYED BY THE CONTRACTOR, APPROVED FOR WALL SYSTEM WILL BE COMPLETE PRIOR TO SITE DEVELOPMENT DRAWING APPROVAL. COLOR OF WALL SHALL MATCH EXTERIOR BUILDING COLOR. CONTRACTOR SHALL PROVIDE COLOR SAMPLE TO ENGINEER AND CITY STAFF FOR APPROVAL PRIOR TO ORDERING MATERIALS.
 2. ANY WALL WITH A 30" OR GREATER WALL HEIGHT SHALL BE CONSTRUCTED WITH A HANDRAIL.

ELLIOTT RESERVE
PMDP & LAND USE AMENDMENT
12440 & 12582 Lebanon Road
Mt. Juliet, Wilson County, Tennessee
Map 53 - Parcels 101.01 & 102.00

ISSUE SET:
P.M.D.P. + L.U.A.

ISSUE DATE: 05/15/2024

REVISION HISTORY:

Rev.	Description	Date
1	Initial Planning Submittal	05/15/24
2	FC Resubmital	05/30/24
3	BOC Submittal	07/30/24

DRAWN BY:
CHECKED BY:

GRADING &
DRAINAGE PLAN

C2.00

PROJECT NO.: 23-074-01

Jul 30, 2024 - 4:59pm T:\CADD\2023\23-074-01\Drawings\Civil\PMDDP\23-074-01 - C2.00 - Grading & Drainage Plan.dwg